

FILED/ACCEPTED

SEP - 1 2009

Federal Communications Commission
Office of the Secretary

A 6:23

Before the
Federal Communications Commission
Washington, DC

In the Matter of)

Amendment of Section 202(b),)

Table of Allotments,)

FM Broadcast Stations)

(Cordele, Hawkinsville &)

Montezuma, Georgia))

To: Chief, Allocations Branch)

RM-~~2004~~

RECEIVED - FCC

AUG 20 2009

Federal Communications Commission
Bureau / Office**PETITION FOR RULEMAKING**

Georgia Eagle Broadcasting, Inc. ("Georgia Eagle"), by its attorney, hereby request that the Commission amend the Table of Allotments as follows:

<u>Community</u>	<u>Current</u>	<u>Proposed</u>
Chester, Georgia	--	244A

As seen by the Engineering Statement attached hereto as Attachment 1, adoption of this proposal would be in full accord with a reference point of 23° 23' 14"N, 83° 09' 14" W, in full accord with the FCC's spacing rules. A long-form FCC Form 301 is being filed in simultaneously with this Petition, as required by the Commission's Rules.

Grant of this proposal will allow a first local FM service to be allotted to Chester. Georgia Eagle will file any necessary expression of interest once Comments with respect to this Petition are accepted, and intends to participate in any auction for the allotment that is held and construct the proposed facility promptly.

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Accordingly, Georgia Eagle Broadcasting, Inc. respectfully request that this Petition be adopted, and that the Commission issue a *Notice of Proposed Rulemaking* proposing to amend the FM Table of Allotments in the manner specified above.

Respectfully submitted,

**GEORGIA EAGLE BROADCASTING,
INC.**

By: 

Dan J. Alpert

Its Attorney

The Law Office of Dan J. Alpert
2120 N. 21st Rd.
Arlington, VA 22201
(703) 243-8690

August 7, 2009

PETITION FOR RULE MAKING
GEORGIA EAGLE BROADCASTING, INC.
ALLOT CHANNEL 244A
CHESTER, GEORGIA
July 2009

TECHNICAL STATEMENT

1. This technical statement and attached exhibits were prepared on behalf of Georgia Eagle Broadcasting, Inc. ("GEB"). GEB herein requests the Commission amend §73.202(b) of the rules by allotting Channel 244A to Chester, Georgia. GEB herein states that, once the Commission allots this proposed channel to Chester, it will participate in the future auction process seeking authority to construct the new Chester facility.

PROPOSAL

2. Channel 244A can be allotted to Chester, Georgia at North Latitude 32° 23' 14" and West Longitude 83° 09' 14". This represents a 1.0 kilometer site restriction to the south of the community to avoid shortspacing station WPCH, Channel 243C3, Gray, Georgia. Attached as Exhibit #1 is a §73.207 spacing study which shows that, from the proposed allocation site, Channel 244A meets the Commission's minimum distance separation requirements to all licensed, applied for or proposed facilities.¹ Exhibit #2 is a map which shows that from the proposed allocation site, a 70 dBu contour is placed over all of the community of Chester, Georgia. Exhibit #3 is a portion of a topographic map showing the proposed allocation site.

1) As noted on Exhibit A1, the Channel 244A allotment is shortspaced to the licensed WDXQ-FM. However, WDXQ-FM holds a permit to relocate and change to Channel 298A. Therefore, the licensed WDXQ-FM is not considered herein as an impediment to the allotment of Channel 244A at Chester, Georgia

3. Therefore, GEB proposes the following change to §73.202(b) of the rules:

Chester, Georgia

Present	Proposed
None	244A

PUBLIC INTERESTS

4. The allotment of Channel 244A to the town of Chester, Georgia, with a population of 305 persons² will provide the community with its first locally licensed FM facility. A maximum Class A facility, from the proposed reference site, will provide a 60 dBu contour to 53,838 persons in 2,516.1 square kilometers.³ As noted above, GEB will participate in the future auction for this new channel at Chester, Georgia.

5. The foregoing technical statement was prepared on behalf of Georgia Eagle Broadcasting, Inc., by Graham Brock, Inc., its Technical Consultants. All information contained herein is true and accurate to the best of our belief and knowledge. All data relating to FM channels and facilities was extracted from the CDBS database. We assume no liability for errors or omissions in that database which may be adverse to the information contained herein.

2) Based on the 2000 U.S. Census.

3) Assuming uniform terrain.

PETITION FOR RULE MAKING
GEORGIA EAGLE BROADCASTING, INC.
ALLOT CHANNEL 244A
CHESTER, GEORGIA
July 2009

EXHIBIT #1

Allocation Study for Channel 244A Chester, Georgia
Using Proposed Allocation Site as Reference

REFERENCE	CLASS = A	DISPLAY DATES
32 23 14.0 H.	Current	DATA 07-22-09
83 09 14.0 W.	Spacings to 3rd Adj.	SEARCH 07-22-09
----- Channel 244 60.7 MHz -----		

Call	Channel Lat.	Location Long.	Ant	Azi Power	Dist	FOC HAAT	Margin
AD244	ADD 244A	Chester	GA	0.0	0.0	115.0	-115.0
	32 23 14.0	83 09 14.0		6.000 kW	100 M		
	Georgia Eagle Broadcasting						
WDXQ-FM	LIC-Z 244A	Cochran	GA	278.1	19.7	115.0	-95.3
	32 24 43.0	83 21 42.0	ZC	6.000 kW	98 M		
	Georgia Eagle Broadcasting BLH-20000515ADJ						
	> to Channel 298A - BPH-20090417AJF						
WRCH	LIC 243C3	Gray	GA	317.4	89.0	99.0	0.00
	32 58 31.0	83 47 59.0	CN	6.000 kW	174 M		
	AMPM Radio Licenses, L.L.C. BLH-20000613AAT						
WRGO	LIC 245A	Fitzgerald	GA	186.0	72.0	72.0	0.00
	31 44 33.0	83 14 39.0	CX	6.000 kW	190 M		
	Broadcast South, LLC BLH-20020425ABO						
WJCL-FM	LIC 243C	Savannah	GA	101.6	174.9	165.0	9.9
	32 03 30.0	81 20 20.0	CN	100.000 kW	354 M		
	Cumulus Licensing LLC BLH-15501						
WLYX	LIC-N 246C2	Valdosta	GA	186.2	176.6	166.0	10.6
	30 48 13.0	83 21 20.0	NCX	50.000 kW	100 M		
	W.G.O.V., Inc. BLH-20060601ABT						
ALS214	VAC 245A	Reynolds	GA	279.9	92.2	72.0	20.2
	32 31 32.0	84 07 15.0		6.000 kW	100 M		
	Fort Valley State University RM-10107						
WDXQ-FM	CP -Z 298A	Cochran	GA	300.9	34.0	10.0	24.0
	32 32 36.0	83 27 55.0	ZCX	4.000 kW	122 M		
	Georgia Eagle Broadcasting BPH-20090417AJ2						
WLVN-LP	LIC 246L1	Fort Valley	GA	287.6	62.3	29.0	33.3
	32 33 16.0	83 47 12.0		0.400 kW	27 M		
	Calvary Chapel Heartland BLH-20020524AAJ						
WTHB-FM	LIC-N 245C3	Wrens	GA	38.6	124.3	89.0	35.3
	33 15 32.2	82 19 10.1	NCX	6.200 kW	121 M		
	Perry Broadcasting Of Augusta BLH-20070123ABV						

Notes: The licensed WDXQ-FM is not considered as it has a permit to relocate to Channel 298A.

Graham Brock, Inc. - Broadcast Technical Consultants

Allocation Reference

Latitude: 32-23-14 N
Longitude: 083-09-14 W
ERP: 6.00 kW
Channel: 244A
Frequency: 96.7 MHz
AMSL Height: 192.34 m
Horiz. Pattern: Omni
Prop Model: FCC
60 dBu Pop: 53,838 (2000)
60 dBu Area: 2,516.1 sq. km.

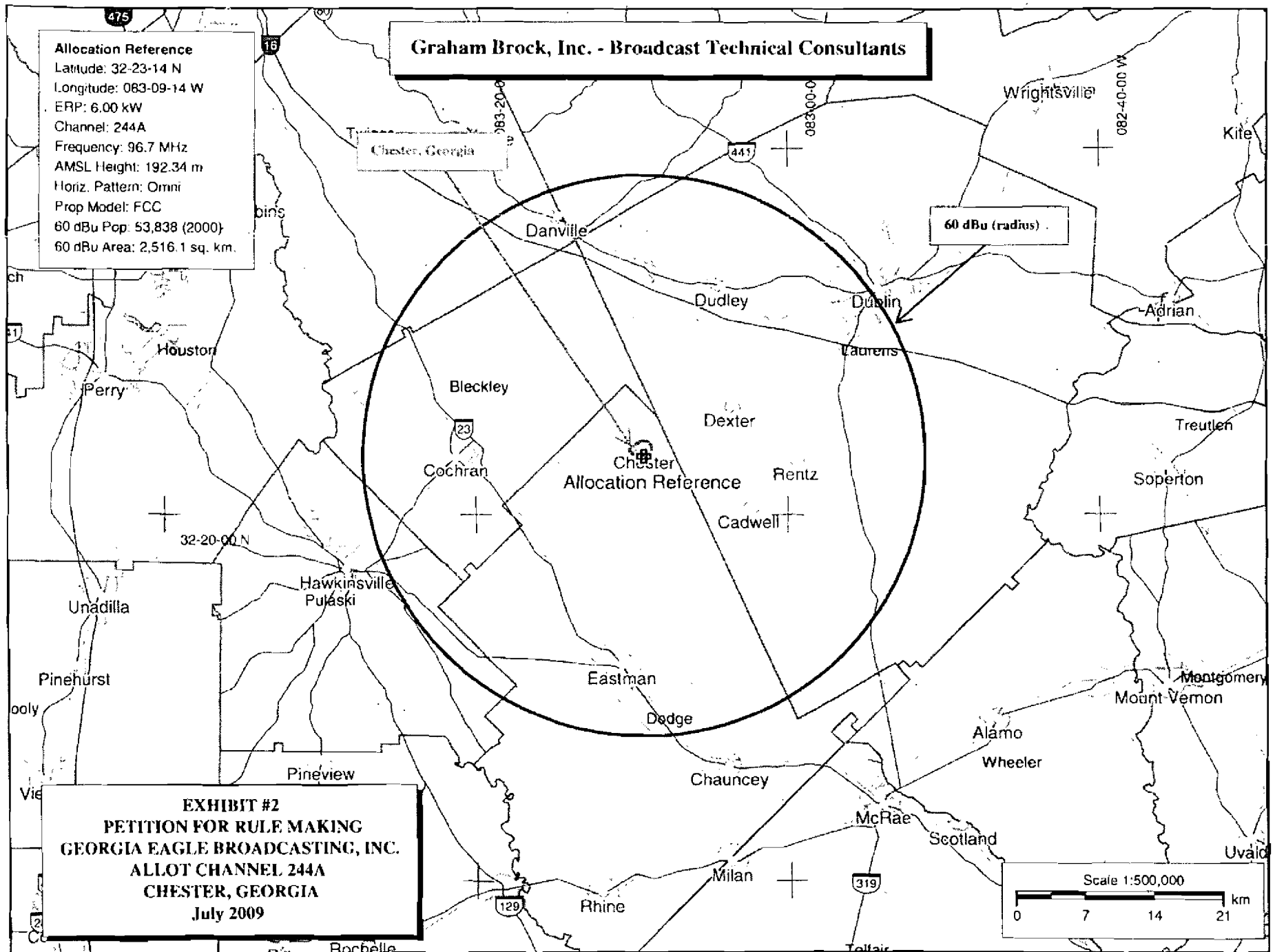


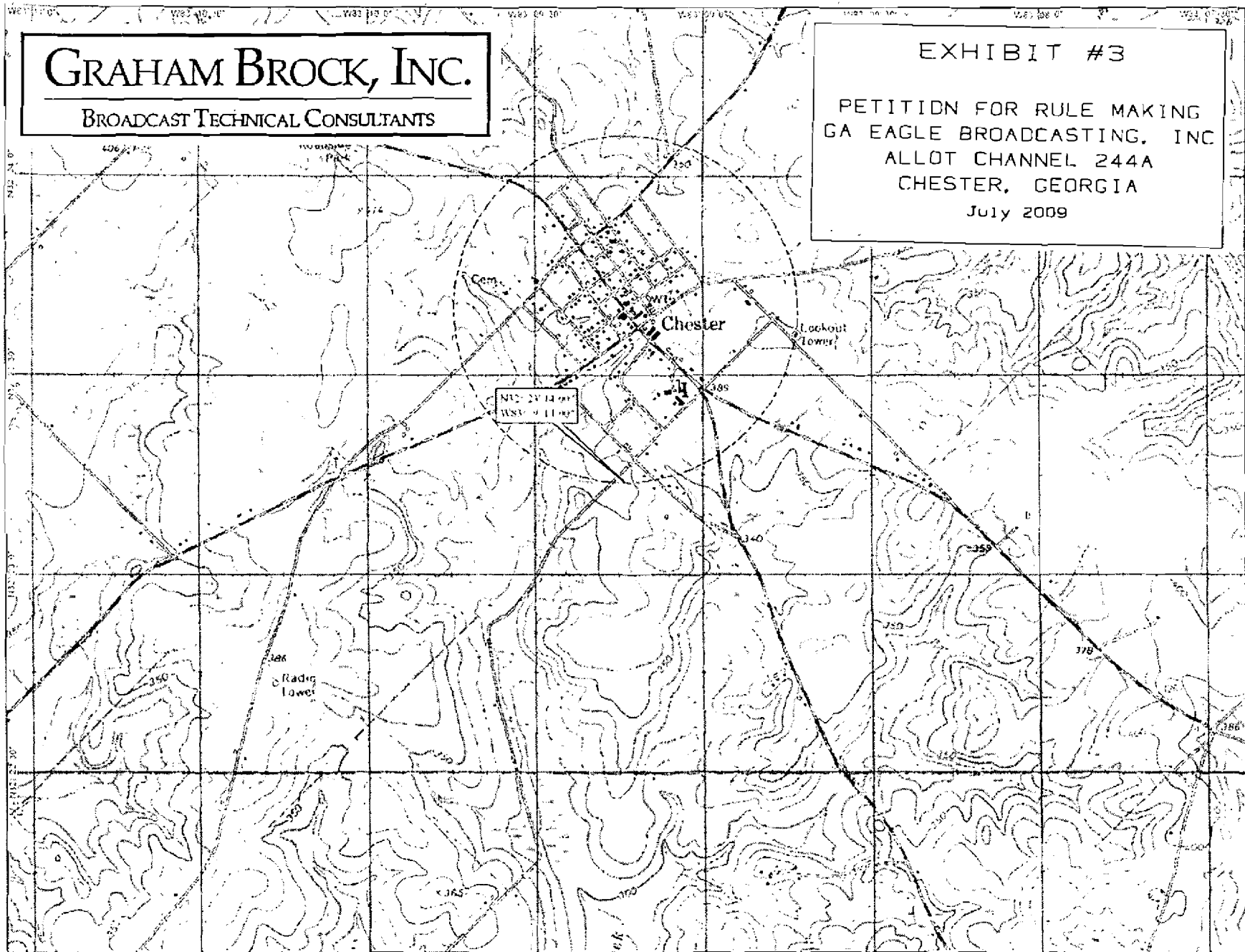
EXHIBIT #2
PETITION FOR RULE MAKING
GEORGIA EAGLE BROADCASTING, INC.
ALLOT CHANNEL 244A
CHESTER, GEORGIA
July 2009

GRAHAM BROCK, INC.

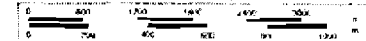
BROADCAST TECHNICAL CONSULTANTS

EXHIBIT #3

PETITION FOR RULE MAKING
GA EAGLE BROADCASTING, INC
ALLOT CHANNEL 244A
CHESTER, GEORGIA
July 2009



Scale 1: 24,000



1" = 2,000.0 ft

Data Zoom 13-1

AFFIDAVIT AND QUALIFICATIONS OF CONSULTANT

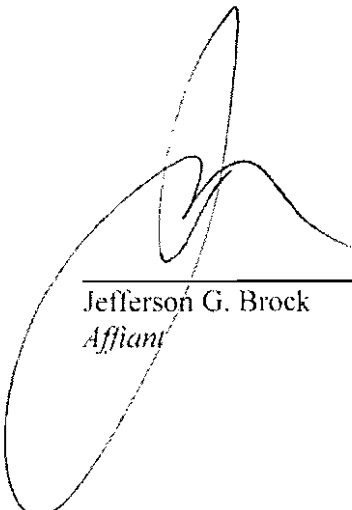
State of Georgia)
St. Simons Island) ss:
County of Glynn)

JEFFERSON G. BROCK, being duly sworn, deposes and says that he is an officer of Graham Brock, Inc. Graham Brock has been engaged by Georgia Eagle Broadcasting, Inc., to prepare the attached Technical Exhibit.

His qualifications are a matter of record before the Federal Communications Commission. He has been active in Broadcast Engineering since 1979.

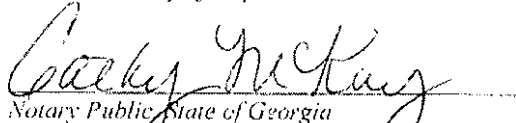
The attached report was either prepared by him or under his direction and all material and exhibits attached hereto are believed to be true and correct.

This the 23rd day of July 2009.



Jefferson G. Brock
Affiant

*Sworn to and subscribed before me
this the 23rd day of July 2009*



Notary Public, State of Georgia
My Commission Expires: March 18, 2011